Latest developments w.r.t labelling of food products

PREPARED BY

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1. Clarification with regard to declaration of address of the brand owner on food labels:

(6) Declaration of name and complete address.-

(a) The name and complete address of the brand owner, whether or not, he himself is the manufacturer, marketer, packer or bottler, as the case may be, shall be declared on the label. Such name and address shall be preceded by the qualifying words "Manufactured by (Mfg by, Mfd by)" or "Marketed by (Mkt by)" or "Manufactured & Marketed by" or "Packed & Marketed by" as the case may be.

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(5) The following labelling requirements are exempted if they are provided in a Barcode/Global Trade Identification Number (GTIN); -

(a) Address of the brand owner whether or not, he himself is the manufacturer, marketer, packer or bottler, as the case may be,

(b) the license number of the manufacturer or marketer or packer or bottler, as the case may be, if different from the brand owner.

- Food Business Operators (FBOs) may either provide the address of the brand owner through text or Barcode/GTIN on the label.
- The FBO is not compelled to declare the address of the brand owner in both forms, i.e. text and barcode/ GSTIN on product labels. The FBO can choose to declare the address by any one method.
- The authorities shall avoid unnecessary actions including issuance of notices to such FBOs who are compliant with these provisions.

https://www.fssai.gov.in/upload/advisories/2023/10/6540bc087feddClarification%20regarding%20declaration%20of%20address-dated%2030th%20October%202023.pdf

2. Inclusion of QR Codes on Food Products for Accessibility by Visually Impaired Individuals

- To encourage Food Business Operators (FBOs) to incorporate provisions that permit easy access to nutritional information for visually impaired individuals.

- Suggests to incorporate Quick Response (QR) codes on product labels. These QR codes should include product details such as ingredients, nutritional information, allergens and their warning, manufacturing date, best before/ expiry/ use by date and contact information for customer inquiries.

- As per The Rights of Persons with Disabilities Act, 2016 which emphasizes accessibility and promotion of health for persons with disabilities, it is imperative that food products are labelled in a manner that ensures accessibility to visually impaired consumers.

- Further, It is pertinent to note that is does not replace or negate the requirement to provide mandatory information on product label as prescribed by the relevant regulations.

- https://www.fssai.gov.in/upload/advisories/2023/10/6530e9d74cd4bAdvisory-1.pdf

3. Mandatory uploading of the test reports with source of iron in Fortified rice (FR), Fortified Rice kernel (FRK) & Vitamin Premix for FRK samples on the InFoLNet portal by FSSAI approved laboratories

- All the FSSAI notified laboratories approved by FSSAI for testing of Fortified rice (FR), Fortified Rice kernel (FRK) & Vitamin Premix for FRK shall clearly mention the source of iron in test reports and
- The labs shall upload these test reports on the InfoLNet portal immediately after completion of analysis on real time basis.
- The test report will be considered invalid, if the source of iron is not mentioned therein.
- Further, it is directed that all Governmental food control authorities, or professionals themselves (self-inspection performed by producers and/or traders), officials from Department of Food and Public Distribution (DFPD), Food Corporation of India (FCI) shall mention the source of iron in the forwarding letter/ sample request form.
- https://www.fssai.gov.in/upload/advisories/2023/11/65560d46169eaorder%20regarding%20source%20of%20IRON%20in%20test%20report%20of%20FR_FRK%20and%20PREMIX.pdf

4. Rectifiable labelling information for imported food consignments

All labelling deficiencies on imported food consignments permitted for rectification except :

1. Lot No. / Code No. / Batch identification Order
2. Date Marking [Date of manufacture or packaging" and "Expiry/Use by/Best Before]
3. Country of Origin for Imported Foods

https://www.fssai.gov.in/upload/advisories/2023/11/6565a92ca991alabel%20rectification%20order_28.11.2023.pdf

5. Direction under Section 16 (5) of Food Safety and Standards Act, 2006 regarding enforcement of the Food Safety and Standards (Labelling and Display) Second Amendment Regulations, 2022

(3) Every package containing the following articles of food and advertisement relating thereto shall carry the wai and/or declaration, in a rectangular box, namely, -

Sl. No.	Articles of food	Declarations
1.	Pan Masala	CHEWING OF PAN MASALA IS INJURIOUS TO HEALTH

Substituted by

(i) In paragraph 1, in sub- paragraph (3), in the table, for Sl. No. 1 and the entries relating thereto, the following shall be substituted, namely: -

S. No.	Articles of food	Declarations
"1.	Pan Masala	CHEWING OF PAN MASALA IS INJURIOUS TO HEALTH Note: The warning statement must cover 50% of front-of-pack of the label";

- The above substitution was brought about by Amendment 3 : 11th October 2022 to Food Safety and Standards (Labelling and Display) Regulations, 2020

https://www.fssai.gov.in/upload/notifications/2022/10/6348f977d94a5Gazette_Notification_Labelling_14_10_2022.pdf

- Further, the above provisions were to be in force on 1st May, 2023 as per the above notification.

- Wherein, the above date of enforcement was deferred for a period of three months from 1st May, 2023 by Order dated 01.08.2023

https://www.fssai.gov.in/upload/advisories/2023/05/646b521ccf599Direction_Enforcement%20of%20FSS(L&D)%20Second%20Amendment%20Reg,%202022.pdf

- Further, this was deferred for a period of three months from 1st August 2023 by Order dated 22.05.2023

https://www.fssai.gov.in/upload/advisories/2023/08/64c8c652b6f10Direction_Extension%20of%20time-period_Enforcement%20of%20FSS(L&D)%20Second%20Amendment%20Reg,%202022_01082023.pdf

- Further, this has been deferred for a period of six months from 1st November 2023 by Order dated 07.12.2023

https://www.fssai.gov.in/upload/advisories/2023/12/65719bd9d3389Direction_Extension%20of%20time-period_Enforcement%20of%20FSS_L&D_Second%20Amendment%20Reg,%202022_07122023.pdf